

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VICTOR PEREZ,

13 Civ. 1428 (WHP) (GWG)

Petitioner,

MEMORANDUM AND ORDER

-against-

SUPERINTENDENT HAROLD
GRAHAM,

Respondent.

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WILLIAM H. PAULEY III, District Judge:

Victor Perez filed this pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 1154, which was referred to Magistrate Judge Gabriel W. Gorenstein. On February 5, 2014, Magistrate Judge Gorenstein issued a report and recommendation recommending that Perez's petition be denied. See Perez v. Graham, No. 13 Civ. 1428 (WHP) (GWG), 2014 WL 523409 (S.D.N.Y. Feb. 5, 2014). This Court "may accept, reject, or modify, in whole or in part, the findings or recommendations" of a magistrate judge. 28 U.S.C. § 636(b)(1). There being no objections to the report, this Court reviews it for "clear error on the face of the record." Strujan v. Teachers Coll. Columbia Univ., No. 08 Civ. 9589 (WHP) (HBP), 2010 WL 3466251, at *2 (S.D.N.Y. Sept. 3, 2010) (citing 28 U.S.C. § 636(b)(1)).

Magistrate Judge Gorenstein's thorough and well-reasoned report is not facially erroneous and this Court adopts it in full. Perez's petition is therefore denied. This Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith. See Coppedge v. United States, 369 U.S. 438 (1962). The Clerk of the Court is directed to terminate all pending motions and mark this case closed.

Dated: February 28, 2014
New York, New York

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.

Copies to:

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Magistrate Judge Gabriel W. Gorenstein